

**APPROVE EXERCISING THE OPTION TO EXTEND THE AGREEMENT WITH LIPPERT, INC.  
FOR THE PURCHASE OF VARIOUS FRYERS**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve exercising option to extend the agreement with Lippert, Inc. for the purchase of various fryers for the Department of Operations- Food Services and Warehousing at a cost not to exceed \$150,000 during the extension period. A written extension agreement for this purchase is currently being negotiated. No payment shall be made to Vendor prior to the execution of the written extension agreement. The authority granted herein shall automatically rescind in the event an extension written agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this extension agreement is stated below.

**SPECIFICATION NO.: 03-250247**

**VENDOR:** Lippert, Inc.  
600 W. 172<sup>nd</sup> Street  
South Holland, IL 60473  
David Wax  
(708) 333-6900  
Vendor # 44636

**USER:** Department of Operations- Food Services & Warehousing  
125 S. Clark –16<sup>th</sup> Floor  
Chicago, IL 60603  
Sue Susanke  
(773) 553-2830

**ORIGINAL AGREEMENT TERM:** The original agreement (authorized by Board Report 04-0128-PR3) is for a term commencing on February 1, 2004 and ending January 31, 2005 with the Board having the option to extend for one additional twelve (12) month period. The original agreement was awarded on a competitive basis pursuant to a duly advertised Bid Solicitation (Specification No.03-250247).

**OPTION PERIOD:** The agreement is being extended for a term commencing February 1, 2005 and ending January 31, 2006.

**DESCRIPTION OF PURCHASE:**

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| <b>1. Goods: 18" Gas Fryers Batteries</b><br>Unit Price: \$14,605.00 | <b>2. Goods: 18" Gas Fryers Batteries</b><br>Unit Price: \$10,833.00 |
| <b>3. Goods: 14" Gas Fryers Batteries</b><br>Unit Price: \$5,726.00  | <b>4. Goods: 14" Gas Fryers Batteries</b><br>Unit Price: \$9,566.00  |

**COMPENSATION:** Vendor shall be paid for goods ordered by the Board at the unit prices stated above; total not to exceed \$150,000.

**AUTHORIZATION:** Authorize the General Counsel to include other relevant terms and conditions in the written extension agreement. Authorize the President and Secretary to execute the extension agreement.

**AFFIRMATIVE ACTION:** The M/WBE goals for this contract include: 26% MBE & 5% WBE.

However, the Waiver Review Committee recommends that a partial waiver of the M/WBE goals for this contract as required by the Revised Remedial Plan be granted because the contract scope is not further divisible.

The vendor has identified and scheduled the following companies:

**Total WBE – 45%**

Fran's Construction  
7000 Bruce Lane, Suite 602  
Glenwood, Illinois 60425  
\$ 67,500 – 45% certified through 09/30/2004

**LSC REVIEW:** Local School Council approval is not applicable to this report.

**FINANCIAL:** Charge to Food Services & Warehousing: \$150,000  
Fiscal Year: \$75,000-FY05  
\$75,000-FY06  
Budget Classification: 0941-270-000-7050-5730  
Source of Funds: Lunchroom Fund

**GENERAL CONDITIONS:**

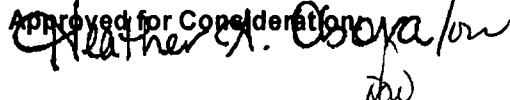
Inspector General – Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.


Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their terms of office.

Indebtedness – The Board's Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.

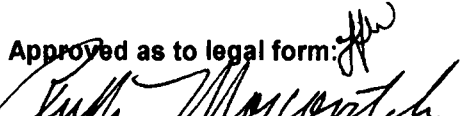
Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:  
  
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Heather A. Obora  
Chief Purchasing Officer

Approved:  
  
\_\_\_\_\_  
Arne Duncan  
Chief Executive Officer

Within Appropriation:  
  
\_\_\_\_\_  
John Maiorca  
Chief Financial Officer

Approved as to legal form:  
  
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Ruth Moscovitch  
General Counsel